

Subsequent to EPA's conclusion in 1998 that general permits are adjudications, rather than rules, as noted above, the DC Circuit recently held that Nationwide general permits under section 404 are "rules" rather than "adjudications." Thus, this legal question remains "a difficult one" (*supra*). However, EPA continues to believe that there is a strong public policy interest in EPA applying the RFA's framework and requirements to the Agency's evaluation and consideration of the nature and extent of any economic impacts that a CWA general permit could have on small entities (e.g., small businesses). In this regard, EPA believes that the Agency's evaluation of the potential economic impact that a general permit would have on small entities, consistent with the RFA framework discussed below, is relevant to, and an essential component of, the Agency's assessment of whether a CWA general permit would place requirements on dischargers that are appropriate and reasonable. Furthermore, EPA believes that the RFA's framework and requirements provide the Agency with the best approach for the Agency's evaluation of the economic impact of general permits on small entities. While using the RFA framework to inform its assessment of whether permit requirements are appropriate and reasonable, EPA will also continue to ensure that all permits satisfy the requirements of the Clean Water Act. Accordingly, EPA has committed to operating in accordance with the RFA's framework and requirements during the Agency's issuance of CWA general permits (in other words, the Agency has committed that it will apply the RFA in its issuance of general permits as if those permits do qualify as "rules" that are subject to the RFA).

EPA anticipates that for most general permits the Agency will be able to conclude that there is not a significant economic impact on a substantial number of small entities. In such cases, the requirements of the RFA framework are fulfilled by including a statement to this effect in the permit fact sheet, along with a statement providing the factual basis for the conclusion. A quantitative analysis of impacts would only be required for permits that may affect a substantial number of small entities, consistent with EPA guidance regarding RFA certification.¹

¹ EPA's current guidance, entitled Final Guidance for EPA Rulewriters: Regulatory Flexibility Act as Amended by the Small Business Regulatory Enforcement and Fairness Act, was issued in November 2006 and is available on EPA's Web site: <http://www.epa.gov/sbrefa/documents/>

Consistent with the above discussion, EPA has concluded that the issuance of the 2008 DGP would not affect a substantial number of small entities. An estimated 36 construction projects per year were authorized under the 2002 General Permits, a substantial number of which were not operated by small entities. The 2008 DGP includes expanded coverage for additional types of discharges; however, these discharges are temporary in nature. At any one time, fewer than 100 small entities are expected to be discharging and incurring costs. In addition, requirements in the 2008 DGP remain substantially similar to those in the 2002 General Permit, except for the addition of total residual chlorine (TRC) limits for discharges from municipal sources. Therefore, EPA has concluded that the issuance of the 2008 DGP is unlikely to have an adverse economic impact on small entities.

Dated: September 30, 2008.

Robert W. Varney,

Regional Administrator, Region 1.

[FR Doc. E8-23791 Filed 10-6-08; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8725-7]

Notice of Meeting of the EPA's Children's Health Protection Advisory Committee (CHPAC)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the next meeting of the Children's Health Protection Advisory Committee (CHPAC) will be held October 21-23, 2008 at The Churchill Hotel, Washington, DC. The CHPAC was created to advise the Environmental Protection Agency on science, regulations, and other issues relating to children's environmental health.

DATES: The CHPAC will meet on Tuesday, October 21, Wednesday, October 22, and Thursday, October 23, 2008 at The Churchill Hotel.

ADDRESSES: The Churchill Hotel, 1914 Connecticut Ave NW., Washington DC 20009, Suite 275.

rfafinalguidance06.pdf. After considering the Guidance and the purpose of CWA general permits, EPA concludes that general permits affecting less than 100 small entities do not have a significant economic impact on a substantial number of small entities.

FOR FURTHER INFORMATION CONTACT: Carolyn Hubbard, Child and Aging Health Protection Division, USEPA, MC 1107A, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 564-2189, hubbard.carolyn@epa.gov.

SUPPLEMENTARY INFORMATION: The meetings of the CHPAC are open to the public. The CHPAC plenary will meet on Wednesday, October 22 from 8:30 a.m. to 5 p.m., and Thursday, October 23, from 8:30 a.m. to 12:30 p.m. The Task Groups will meet Tuesday, October 21, from 1 p.m. to 5 p.m. Agenda items include a discussion of chemicals management policy, a presentation about the process for producing the next edition of America's Children and the Environment, and a discussion on formulating advice on children's health to the EPA Administrator following the transition.

Access and Accommodations: For information on access or services for individuals with disabilities, please contact Carolyn Hubbard at 202-564-2189 or hubbard.carolyn@epa.gov. To request accommodation of a disability, please contact Carolyn Hubbard preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: October 1, 2008.

Carolyn Hubbard,

Designated Federal Official.

Draft Agenda

Tuesday, October 21, 2008

1 p.m.-5 p.m. Chemicals Management Task Group Meeting.

Wednesday, October 22, 2008: CHPAC Plenary Session

8:30-9 Continental Breakfast and Gathering.

9-9:30 Welcome, Introductions, & Agenda Review.

9:30-10 Highlights of Recent EPA Activities.

10-11 Presentation on ANPR on Regulating Greenhouse Gases under the Clean Air Act.

11-11:15 Break.

11:15-12:15 Review of Chemicals Management Comment Letter.

12:15-1:15 Lunch (on your own).

1:15-2:45 Panel on America's Children and the Environment.

2:45-3:30 Revisions to Chemicals Management Comment Letter.

3:30-3:45 Break.

3:45-4 Presentation on EPA Transition process.

4-5 Public Comment.

5 Adjourn for the Day.

Thursday, October 23, 2008: CHPAC
Plenary Session Continued

- 8:30–9 Continental Breakfast and
Gathering.
9–9:15 Check In and Agenda Review.
9:15–10:45 Strategic Discussion of
Potential CHPAC Advice to the New
Administrator.
10:45–11 Break.
11–12 Closure on Chemicals
Management Comment Letter.
12–12:30 Wrap Up/Next Steps.
Objective: Review agreed-upon action
items and next steps
- CHPAC Facilitator
 - Carolyn Hubbard, Designated
Federal Officer
- 12:30 Adjourn Plenary.

[FR Doc. E8–23687 Filed 10–6–08; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL–8721–9]

Proposed Administrative Cost Settlement Under Section 122(h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act; In the Matter of the Illinois Power Subarea of the Ottawa Radiation Site, Ottawa, IL

AGENCY: Environmental Protection
Agency.

ACTION: Notice; request for public
comment.

SUMMARY: In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (“CERCLA”), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement for recovery of response costs concerning the Illinois Power subarea of the Ottawa Radiation Superfund Site in Ottawa, Illinois with Illinois Power Company d/b/a Ameren IP. The settlement requires the settling parties to: operate and maintain a radon reduction system at the property; record a restrictive covenant that prohibits interference with the building foundations and system; agree to use a covenant deed that reserves the right for Illinois Power, U.S. EPA and the State to enforce the restrictive covenant if Illinois Power conveys the property; and reimburse \$35,000 of U.S. EPA’s response costs incurred at the Illinois Power subarea. In exchange for the payment and work performed, the United States covenants not to sue or take administrative action pursuant to Sections 106, 107 and 122 of CERCLA, 42 U.S.C. 9606, 9607 and

9622 for the work and past response costs at the Illinois Power subarea of the Ottawa Radiation Site. In addition, Illinois Power is entitled to protection from contribution actions or claims as provided by Sections 113(f) and 122(h)(4) of CERCLA, 42 U.S.C. 9613(f) and 9622(h)(4), for the work performed and past costs incurred at the Site.

For thirty (30) days after the date of publication of this notice, the Agency will receive written comments relating to the cost recovery provisions of the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency’s response to any comments received will be available for public inspection at U.S. EPA’s Region 5 Office at 77 West Jackson Boulevard, Chicago, Illinois 60604.

DATES: Comments must be submitted on or before November 6, 2008.

ADDRESSES: The proposed settlement is available for public inspection at EPA’s Record Center, 7th floor, 77 W. Jackson Blvd., Chicago, Illinois 60604. A copy of the proposed settlement may be obtained from Janet Carlson, Associate Regional Counsel, U.S. EPA, Mail Code C–14J, 77 W. Jackson Blvd., Chicago, Illinois 60604, telephone (312) 886–6059. Comments should reference the Illinois Power subarea of the Ottawa Radiation Site, Ottawa, Illinois and EPA Docket No. VW08C914, and should be addressed to Janet Carlson, Associate Regional Counsel, U.S. EPA, Mail Code C–14J, 77 W. Jackson Blvd., Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Janet Carlson, Associate Regional Counsel, U.S. EPA, Mail Code C–14J, 77 W. Jackson Blvd., Chicago, Illinois 60604, telephone (312) 886–6059.

AUTHORITY: The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601, *et seq.*

Dated: September 19, 2008.

Douglas Balloti,

Acting Director, Superfund Division.

[FR Doc. E8–23746 Filed 10–6–08; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collections Approved by the Office of Management and Budget (OMB)

September 30, 2008.

SUMMARY: The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). An agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number, and no person is required to respond to a collection of information unless it displays a currently valid OMB control number. Comments concerning the accuracy of the burden estimates and any suggestions for reducing the burden should be directed to the person listed in the **FOR FURTHER INFORMATION CONTACT** section below.

FOR FURTHER INFORMATION CONTACT: For additional information contact Cathy Williams, via the Internet at PRA@fcc.gov or on (202) 418–2918. Commission at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060–1115.

OMB Approval Date: 9/24/2008.

Expiration Date: 9/30/2011.

Title: Sections 15.124, 27.20, 54.418, 73.674, 76.1630, DTV Consumer Education Initiative; FCC Form 388.

Form No.: FCC Form 388.

Number of Respondents/Responses: 11,022 respondents; 70,026 responses.
Estimated Time Per Response: 0.5 to 85 hours

Total Annual Burden: 155,646 hours.

Total Annual Cost: None.

Obligation to Respond: Required to obtain benefits—Statutory authority for this collection of information is contained in Sections 4(i), 303(r), 335, and 336 of the Communications Act of 1934, as amended, 47 U.S.C. Sections 154(i), 303(r), 335, and 336.

Nature and Extent of Confidentiality: No need for confidentiality required with this information collection.

Needs and Uses: The Commission adopted on April 23, 2008, an Order of Reconsideration, In the Matter of DTV Consumer Education Initiative, MB Docket 07–148, FCC 08–119. In this Order, we modify our requirements regarding the timing, scope, and content of manufacturer notices and the method of delivery of eligible telecommunications carriers (ETC) notices, and clarify other manufacturer requirements. The revised requirements that were approved by OMB on an